

REMARKS

In response to the Restriction Requirement dated July 31, 2008, Applicants elect **Group I** (claims 29 through 43). Claims 44 through 49 are withdrawn. Claims 29 through 43 encompass the elected invention. The election is made with traverse, for the reason below.

The Restriction Requirement further requires an election of a species, as provided below:

“The species are as follows:

Mammals: (a) humans, (b) primates, (c) higher primates, (d) rodents, (e) swine, and (f) bovines, as in claim 36; elect ONE if Group I is elected.”

Heart failures: (g) cardiomyopathy and (h) myocardial infarction, as in claims 42 and 43; elect ONE if Group I is elected.”

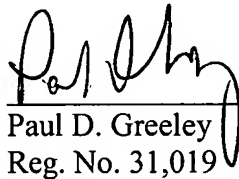
In response to the above requirement for election of species, Applicants elect: (a) humans, and (h) myocardial infarction.

The reason for traverse of the Restriction Requirement is that the claims in Groups I – III possess unity of invention. The elected claims relate to a process for preparing cardiomyocytes from stem cells, and a method for treating a heart failure condition in a patient using cardiomyocytes prepared according to the process. The non-elected claims relate to other methods of using cardiomyocytes: for selection of molecules with cardiogenic modulation activity (claim 44), and for preparing an *in vitro* cell model for cardiogenic differentiation of stem cells (claims 45 – 49). As such, unity of invention exists between the elected claims and claims 44 through 49.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the restriction requirement, and examination of all claims in the application.

Respectfully submitted,

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